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The criterion of decentralized agents, according to our author, is their election by a local plebiscite. They are, nevertheless, amenable to the superior authority.

We see, then, that all political power springs not from right but from the fact that one man, or a group of men impose their will, *per fas vel nefas*, on the rest. They are controlled only by the objective law, a violation of which results in destruction. State there is none, sovereign there is none; only vast groups of men struggling, each according to his lights, for happiness and often, perhaps always, tolerating the impositions of other men, whom they are too busy or too indolent to resist. Unflattering, but most like portrait of the human race!

We have discussed "*L'Etat*" at length because we deem the book of more than temporary interest, and because few readers will wade through fourteen hundred pages written in a foreign language.

Of the work as a whole, apart from the value of the ideas it contains, we think that much might be gained by condensation. Many of the arguments are spun out into tiresome and insipid detail. There is endless repetition of dominant thoughts. Much might be gained for the foreign reader by a detailed table of contents, which would enable him to follow the general arguments without being compelled to peruse long disquisitions upon French law. In other words, while M. Duguit's work will always be of interest to the learned and studious, we fear that, in its present form, it will repel rather than attract the occasional reader.

E. B. S., Jr.

THE ENCYCLOPEDIA OF EVIDENCE. Vol. I. Edited by EDGAR W. CAMP. Pp. 1020. Los Angeles, Cal.: L. D. Powell Co. 1903.

The editor's preface states that "the limits of this work cannot be precisely determined by definitions of the word 'evidence,' but must be fixed by the use and wont of lawyers in investigating matters in litigation."

It is not surprising, therefore, to find that of thirty subjects dealt with in the volume, only three, Admissions, Ambiguity, and Alterations of Instruments, are usually considered as belonging peculiarly to the law of Evidence. The rest of the volume consists of substantive law stated in the form of rules of evidence and of particular applications of the general rules of evidence to the specific subject discussed. Whether such a treatment does not tend to confusion and obscurity is more than questionable. Certainly from the standpoint of a scientific treatment of the law of Evidence it cannot be defended.

But such a book will be of service to the busy practitioner who wishes to obtain at a glance in a condensed form an idea

of what are the substantial elements which he must prove in a particular action and how he may prove them. The arrangement is for this purpose good, and the book has evidently been carefully prepared. That the undertaking is intended to be exhaustive would appear from the fact that this the first volume only brings the subject down to Assault and Battery. *F. H. B.*

CRIME IN ITS RELATIONS TO SOCIAL PROGRESS. By ARTHUR CLEVELAND HALL, Ph. D., Fellow in Sociology, Columbia, 1894-95. Pp. xvii + 427. New York: The Columbia University Press. The Macmillan Company, Agents. 1902.

The author of this volume has produced a work which cannot fail to be of the greatest interest to all careful students of sociology. Those who have never had occasion to refer to the subject will doubtless be surprised to find that crime is apparently increasing fast. But the author brings out very clearly that this is due to the fact that with the advancement of civilization many acts which formerly were regarded as mere negligences are prohibited by the law-making power of the state and denominated crimes. So that while criminal acts as a whole are becoming more numerous, the number of commissions of any one offense may be decreasing. How the extension of the legislative inhibition in converting immoralities into positive crimes is improving the character of the social body is well demonstrated by the author. In spite of many references to statistics, the book is written in an interesting style. For an exhaustive and interesting discussion of the relation of crime to society the work is recommended. *F. W. S.*

THE TRIAL LAWYERS' ASSISTANT IN CRIMINAL CASES. By HENRY HARDWICKE. Pp. x + 308. Albany, N. Y.: Banks & Co. 1902.

"The chief object the author has had in view in writing the . . . work is that of giving, in a concise form, information which would prove serviceable to the trial lawyer." The book contains about three hundred and fifty subjects, gathered together from many sources, and considers them in proportion to their worth to the trial lawyer. Some are merely defined; others are dismissed with a mere reference to the New York Penal Code; and still others with fuller discussion and citation of authorities. There is an appendix of seventy-two pages, which contains a "Table of Contents of Sections of the New York Code of Criminal Procedure . . ." and sections of that code.

An examination of the first fifty subjects discussed shows that sixteen are almost wholly, if not entirely, based on references to